

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JEREMY ALEXANDER SIMMONS,)

Plaintiff,)

v.)

SWVRJA-DUFFIELD/HAYSI,)

Defendant.)

Civil Action No. 7:21cv00475

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Jeremy Alexander Simmons, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing orders entered September 13 and October 1, 2021, the court advised Simmons that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF Nos. 3 & 7.) The court further advised Simmons that failure to provide an updated address would result in dismissal of this action. (*Id.*) On April 8, 2022, an order mailed to Simmons was returned to the court as undeliverable and with no forwarding address. (*See* ECF No. 12.) Simmons has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Simmons' opportunity to refile his claim in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 11th day of April, 2022.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE